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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,194	12/22/2003	Christopher J. Stone	D03137	6882
43471	7590	11/27/2009		
Motorola, Inc. Law Department 1303 East Algonquin Road 3rd Floor Schaumburg, IL 60196			EXAMINER CHOWDHURY, NIGAR	
			ART UNIT 2621	PAPER NUMBER
			NOTIFICATION DATE 11/27/2009	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.US@motorola.com

### Office Action Summary

**Application No.**

10/743,194

**Applicant(s)**

STONE, CHRISTOPHER J.

**Examiner**

NIGAR CHOWDHURY

**Art Unit**

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20, 22 and 23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20, 22 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-20, 22-23 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6,549,718 by Grooters et al.
2. Regarding **claim 1**, a method for recording a broadcast program, method comprising the steps of:
  - receiving a transport packet stream in which the program is embodied at a receiving transport packet stream including an indicator denoting a time at which program ends (col. 3 lines 22-35, col. 4 lines 13-23);
  - electronically storing transport packet stream in a recording device (col. 3 lines 51-57);
  - extracting indicator from the transport packet stream (col. 4 lines 13-23);
  - decoding extracted indicator by a decoder (col. 3 lines 65-col. 4 lines 23);
  - and
  - terminating the step of electronically storing transport packet stream in accordance with the time denoted by indicator (col. 4 lines 13-23).

3. Regarding **claim 2**, the method wherein transport packet stream is received in accordance with a digital transport protocol (col. 3 lines 22-35).
4. Regarding **claim 3**, the method wherein digital transport protocol includes video compression (col. 3 lines 22-35).
5. Regarding **claim 4**, the method wherein transport packet stream is an MPEG-2 bit stream (col. 3 lines 22-35).
6. Regarding **claim 5**, the method wherein indicator is located in an MPEG-2 system table (col. 3 lines 22-35).
7. Regarding **claim 6**, the method wherein MPEG-2 system table is a program map table (col. 3 lines 22-35).
8. Regarding **claim 7**, the method wherein indicator is incorporated into transport packet stream by a universal data format (col. 4 lines 37-59).
9. Regarding **claim 8**, the method wherein universal data format is the XML data format (col. 4 lines 37-59).

10. Regarding **claim 9**, the method wherein the electronically storing step is performed on a magnetic storage device (col. 3 lines 51-57).
11. Regarding **claim 10**, the method wherein the electronically storing step is performed on an optical storage device (col. 3 lines 51-56).
12. **Claim 11** is rejected for the same reason as discussed in the corresponding claim 1 above.
13. **Claim 12** is rejected for the same reason as discussed in the corresponding claim 2 above.
14. **Claim 13** is rejected for the same reason as discussed in the corresponding claim 3 above.
15. **Claim 14** is rejected for the same reason as discussed in the corresponding claim 4 above.
16. **Claim 15** is rejected for the same reason as discussed in the corresponding claim 5 above.
17. **Claim 16** is rejected for the same reason as discussed in the corresponding claim 6 above.
18. **Claim 17** is rejected for the same reason as discussed in the corresponding claim 7 above.
19. **Claim 18** is rejected for the same reason as discussed in the corresponding claim 7 above.

20. **Claim 19** is rejected for the same reason as discussed in the corresponding claim 9 above.
21. **Claim 20** is rejected for the same reason as discussed in the corresponding claim 10 above.
22. Regarding **claim 22**, the method wherein the step of storing transport packet stream is initiated by selection of a program listed on an electronic program guide (col. 4 lines 13-23, col. 5 lines 49-col. 6 lines 7)
23. **Claim 23** is rejected for the same reason as discussed in the corresponding claim 22 above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NIGAR CHOWDHURY whose telephone number is (571)272-8890. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NC  
11/21/2009

/JAMIE JO ATALA/  
Examiner, Art Unit 2621